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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,140	04/01/2004	Hideyuki Shimizu	450100-05009	2493

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EXAMINER

AMIN, JWALANT B

ART UNIT PAPER NUMBER

2628

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/816,140

Applicant(s)

SHIMIZU, HIDEYUKI

Examiner

Jwalant Amin

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21,22 and 24-29 is/are rejected.
- 7) ☒ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 21-29 have been considered but are moot in view of the new ground(s) of rejection.

2. Regarding claims 21-29, the Applicant argues that Shiraishi and Multimedia Builder do not disclose "... a special effect device comprising an address signal generating means for generating a readout address signal of said picture signals stored in said frame buffer so that the picture signals will be output to each of a plurality of corresponding triangular areas of a preset size fractionated from said picture signals stored in said frame buffer, wherein said address signal generating means converts a polar coordinate system of said picture signals to a rectangular coordinate system" (see page 12, paragraph 2nd from last).

3. However, the Examiner interprets that:

Shiraishi teaches a special effect device comprising an address signal generating means for generating a readout address signal of said picture signals stored in said frame buffer (col. 2 lines 59-61; image data corresponds to picture signals; frame memory corresponds to frame buffer), wherein said address signal generating means converts a polar coordinate system of said picture signals to a rectangular coordinate system (Fig. 3, col. 4 lines 20-27). Shiraishi teaches to transform images to give a kaleidoscope effect by reflecting the image at a specified angle from the center of the image (col. 3 lines 3-6; Reflecting an original image to a transformed image uses the same picture signals, but in different address).

Shiraishi teaches all of the claimed limitations as stated above, except that Shiraishi does not explicitly teach that the same picture signals will be output to each of a plurality of corresponding triangular areas of a preset size fractionated from said picture signals stored in said frame buffer. However, Multimedia Builder teaches that an original image can be transformed into an enhanced image by applying special effects like triangular mosaic, such that the picture signals from the original image will be output into the corresponding plurality of triangular areas (from the figure of Triangular Mosaic effect on page 3, it is clear that the triangular areas are of a predetermined size which corresponds to the preset size). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use the special effect as taught by Multimedia Builder into the image transformation system of Shiraishi to produce enhanced images with triangular mosaic special effect, because users can use such modified images to enhance the images for web pages, web banners and advertisement (page 2 lines 3-8).

The Applicant further argue that "... Multimedia Builder is not prior art since there is no evidence showing that the disclosure relied upon by the Office was disclosed in 2000" (see Applicant's remark, page 12 last paragraph).

However, the Examiner cites Multimedia Builder MMB 4.5, which had the feature of color tweak effects, as an evidence showing that the described features were available in the year 2000 (see

<http://web.archive.org/web/20000308043037/http://www.mediachance.com/mmbnews.h>

tm and

<http://web.archive.org/web/20000303000430/www.mediachance.com/newfeatures/Effects/tweaks.htm> for more details).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 21-22 and 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraishi et al. (US Patent No. 6,091,423; hereinafter referred to as Shiraishi) in view of Multimedia Builder (Multimedia Builder by Media Chance, <http://mmb.mediachance.com/newfeatures/Effects/tweaks.htm>, Copyright year: 2000, MMB version 4.5).

6. Regarding claim 21, Shiraishi teaches a special effect device in which picture signals are read out from a frame buffer based on an address signal to impart a desired special effect to the picture signals read out from said frame buffer (col. 1 lines 9-11 and lines 44-45; image transformation system corresponds to special effect device; video signals corresponds to picture signals memory corresponds to frame buffer), said special effect device comprising an address signal generating means for generating a readout address signal of said picture signals stored in said frame buffer (col. 2 lines 59-61; image data corresponds to picture signals; frame memory corresponds to frame buffer), wherein said address signal generating means converts a polar coordinate

system of said picture signals to a rectangular coordinate system (Fig. 3, col. 4 lines 20-27). Shiraishi teaches to transform images to give a kaleidoscope effect by reflecting the image at a specified angle from the center of the image (col. 3 lines 3-6; Reflecting an original image to a transformed image uses the same picture signals, but in different address).

Shiraishi teaches all of the claimed limitations as stated above, except that Shiraishi does not explicitly teach that the picture signals will be output to each of a plurality of corresponding triangular areas of a preset size fractionated from said picture signals stored in said frame buffer. However, Multimedia Builder teaches that an original image can be transformed into an enhanced image by applying special effects like triangular mosaic, such that the same picture signals from the original image will be output into the corresponding plurality of triangular areas (from the figure of Triangular Mosaic effect on page 3, it is clear that the triangular areas are of a predetermined size which corresponds to the preset size). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use the special effect as taught by Multimedia Builder into the image transformation system of Shiraishi to produce enhanced images with triangular mosaic special effect, because users can use such modified images to enhance the images for web pages, web banners and advertisement (page 2 lines 3-8).

7. Regarding claim 22, Shiraishi teaches totality of picture signals (picture signals of the whole image) output in each triangular area will be preset picture signals of the same sort (Fig. 2A, col. 3 lines 3-6; original image corresponds to preset picture signals;

each triangle reflecting the same original image corresponds to totality of picture signals output in each triangular area are of same sort).

Multimedia Builder also teaches that the totality of picture signals output in each triangular area is the same color as picture signals in the original image (figure of Triangular Mosaic effect on page 3).

8. Regarding claim 24, in addition to the statements presented above for claim 21, Shiraishi teaches a special elect processing system for providing special effects to video signal (col. 1 lines 10-11; special effect processing system corresponds to address signal generating device).

9. Regarding claim 25, the statements presented above with respect to claims 24 and 22 are incorporated herein.

10. Regarding claim. 26, in addition to the statements presented above for claim 21, Shiraishi teaches a special effect processing system performing special effecting process to give special elects to video signal (col. 1 lines 9-11; special effect processing system performing special effecting process corresponds to address signal generating method).

11. Regarding claim 27, the statements presented above with respect to claims 26 and 22 are incorporated herein.

12. Regarding claim 28, the statements presented above for claim 21 are incorporated herein.

Shiraishi teaches all of the claimed limitations as stated above, except that Shiraishi does not explicitly teach that the address signal generating process is

executed by an address signal generating program. Shiraishi teaches to execute the process using a dedicated hardware system. However, Multimedia builder teaches to use software to perform special effects (pg. 1; Multimedia builder corresponds to a computer program). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use a computer software program as taught by Multimedia builder to create special effects as taught by Shiraishi because a software program is portable and thus it could be used to create special effects in a computer system without a dedicated hardware.

13. Regarding claim 29, the statements presented above with respect to claims 28 and 22 are incorporated herein.

Allowable Subject Matter

14. Claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show the equations as taught by the claim 23.

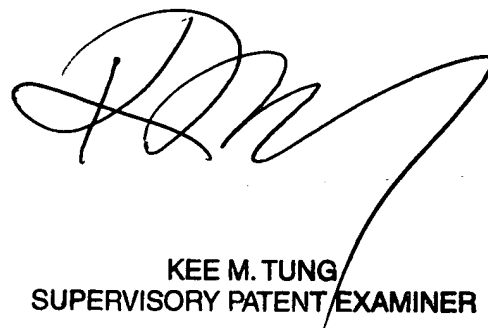
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jwalant Amin whose telephone number is 571-272-2455. The examiner can normally be reached on 9:30 a.m. - 6:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on 571-272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*** J.A. 8/10/06



KEE M. TUNG
SUPERVISORY PATENT EXAMINER